



CITY COUNCIL AGENDA REPORT

MEETING DATE: AUGUST 19, 2008

ITEM NUMBER:

SUBJECT: GENERAL PLAN AMENDMENT GP-08-03 FOR THE PROPOSED 2008-2014 HOUSING ELEMENT UPDATE TO THE 2000 GENERAL PLAN

DATE: AUGUST 7, 2008

FROM: PLANNING DIVISION/DEVELOPMENT SERVICES DEPARTMENT

PRESENTATION BY: DONALD D. LAMM, DIRECTOR
CLAIRE L. FLYNN, AICP, PRINCIPAL PLANNER

FOR FURTHER INFORMATION CONTACT: CLAIRE FLYNN, PRINCIPAL PLANNER
(714) 754-5278

RECOMMENDATION

Pursuant to the Planning Commission's recommendation:

- (1) Certify Final Supplemental Environmental Impact Report for Housing Element Update and
- (2) Approve General Plan Amendment GP-08-03 for the 2008-2014 Housing Element, by adoption of attached Council resolution.

BACKGROUND:

Proposed Project

General Plan Amendment GP-08-03 is a City-initiated amendment to the 2000 General Plan consisting of:

- (a) *Final Supplemental Environmental Impact Report (SEIR)*: To satisfy the requirements of the California Environmental Quality Act (CEQA), the City prepared a supplemental document to the original General Plan Final Program EIR (certified in January 2002).
- (b) *Proposed 2008-2014 Housing Element*: A technical update of the Housing Element of the 2000 General Plan as required by California Law Government Code Section 65588.

The proposed Housing Element must be adopted by City Council and certified by the Housing and Community Development Department to be in compliance with State Law (*Housing Element, Attachment 7*).

Community Workshops

Community workshops were conducted for neighborhood and homeowners associations throughout the City as follows:

- June 18, 2007 Community workshop at Neighborhood Community Center
- July 24, 2007 MIKA Community Development Corporation
- October 3, 2007 Mesa Verde, Inc. Home Owners Association
- April 7, 2008 Planning Commission hosted a Community workshop/open house at Costa Mesa City Hall
- May 12, 2008 Community workshop/open house at Costa Mesa City Hall

Public Meetings

The following public meetings were held:

- On September 25, 2007, the Redevelopment and Residential Rehabilitation (3-R) Committee held a public forum to discuss the Housing Element.
- On February 12, 2008, City Council and Planning Commission held a special joint study session to preview the proposed 2008-2014 City of Costa Mesa Housing Element. Public testimony was received, and the draft Housing Element was revised based on comments received at the study session.
- On July 28, 2008, Planning Commission recommended City Council approval of the proposed project (*PC Minutes/Resolution, Attachments 5 and 6*).

ANALYSIS

Costa Mesa to be the Second OC City with Certified Housing Element

On July 25, 2008, the California Housing and Community Development Department (HCD) issued a preliminary certification letter indicating that Costa Mesa's Housing Element will be compliant with State law, once it is adopted by City Council (*HCD Letter, Attachment 1*). HCD will issue a final certification letter within 60 days of Council adoption of the Housing Element.

Out of the 34 cities in Orange County, the City of Costa Mesa will then be the second jurisdiction to have an adopted Housing Element in compliance with State Law.

Purpose of Housing Element

The Housing Element is a citywide plan for housing, including provisions of affordable housing in the City of Costa Mesa. The previous Housing Element originally covered the period of July 1, 2000 through June 30, 2005. State legislation subsequently extended the timeframe of this Housing Element to June 30, 2008 in order to align the Housing Element update with the Regional Transportation Planning process.

Regional Housing Needs Assessment

State Law requires that a local jurisdiction accommodate a share of the region's projected housing needs for the planning period. This share, called the Regional Housing Needs Allocation (RHNA), is important because State law mandates that jurisdictions provide sufficient

land to accommodate a variety of housing opportunities for all economic segments of the community.

The Southern California Association of Governments (SCAG), as the regional planning agency, is responsible for allocating the RHNA to individual jurisdictions within the six-county region, including the County of Orange. For the 2008 Housing Element update, the City of Costa Mesa is allocated a RHNA of **1,682 units** as follows:

Costa Mesa – Regional Housing Needs Assessment

Income Category	Income Level for 4-person Household	RHNA Allocation	Percentage
Extremely Low/ Very Low	\$26,000-\$43,300	353 units	21%
Low	\$69,300	289 units	17.2%
Moderate	\$78,700	330 units	19.6%
Above Moderate	\$94,400	710 units	42.2%
TOTAL		1,682 units	100%

Achievement of RHNA Goals

Unlike previous years where Housing Elements need only show substantial progress towards achieving RHNA Goals, new changes in State Law require Cities to demonstrate that these goals can be fully achieved during the seven year planning period.

The 2008-2014 Housing Element demonstrates that the City of Costa Mesa is able to accommodate its RHNA allocation.

**TABLE HOU-47 OF HOUSING ELEMENT
SUMMARY OF RHNA STATUS**

	Extremely Low/ Very Low	Low	Moderate	Above Moderate	Total
RHNA	353	289	330	710	1,682
Constructed	16	13	---	154	183
Preserved (Completed or Planned)	88	72	---	---	160
Units Approved/Under Construction	5	3	807	1,376	2,191
Vacant Sites (Table HOU-44)	---	---	528	34	562
Underutilized Sites (Table HOU-45)	122	123	89	487	821
SRO/FRO Units	80	80	---	---	160
Additional Capacity in 19 West Urban Plan (Appendix C)	96	---	---	---	96
TOTAL CAPACITY	407	291	1,424	2,051	4,155

**Note: highlighted items reflect revisions since first draft of Housing Element.*

New Projects and Programs to Achieve RHNA Goals

The City is proposing to meet its RHNA obligations for affordable housing by implementing projects/programs such as:

- *SRO/FRO Program* – The City will promote the conversion of motels/hotels into Single-Room Occupancy units (SROs) or Family Residential Occupancy units (FROs). These are one or two-bedroom units, respectively, that could accommodate single parent families, other small families, seniors, or single individuals.
- *Fairview Developmental Center – 2501 Harbor Boulevard*. Operated by the State Department of Developmental Services, the State is considering a residential development on the 10-acre parcel known as Shannon's Mountain, generally located south/southeasterly of the main campus in the area of Fairview Development Center. The proposed high-density residential project will feature 170 affordable housing units to lower income households. A General Plan amendment and rezone are required.
- *Costa Mesa Senior Center – 695 W. 19th Street*. The City is considering a high-density residential development on the existing 1.4-acre Senior Center parking lot to accommodate, in concept, a 150-unit residential building for senior citizens. Fifty percent of the residential development is slated to be affordable to very low/low income households, for a total of 75 affordable units.
- *Density Bonus Incentives for Affordable Housing*. City will continue to provide density bonus incentives to developers that agree to reserve a portion of the residential units for very low, low, or moderate income households (common-interest developments only), or for senior housing. The City will also defer City development impact fee payments upon certificate of occupancy.

The City's RHNA obligations for moderate/above moderate income units may be met by the following projects:

- *Enclave Apartment Community* -- The 890-unit Enclave development, comprised of 66 studio units, 468 one-bedroom units, and 356 two-bedroom units, is under construction in the north Costa Mesa.
- *3350 Avenue of the Arts* -- This project in the North Costa Mesa Specific Plan area will involve the construction of a 23-story, 120-unit high-rise residential tower in addition to the renovation of a 238-room hotel to 200 rooms.
- *580 Anton Boulevard* – This mixed use development in the North Costa Mesa Specific Plan area will include 250 residential units in two 25-story high-rise buildings and 2,350 square feet of resident serving retail uses.
- *1640 Monrovia Avenue* -- This mixed use development in the Mesa West Bluffs Urban Plan area will involve the construction of 151 residential condominiums, five live/work units, and 42,000 square feet of commercial uses. The residential units proposed are small units (primarily studios and one-bedrooms) and therefore are targeted to moderate income households.
- *1901 Newport Plaza* -- This 145-unit condominium project received \$892,000 in redevelopment housing set aside funds. The conditions for project approval require the

developer to provide 12 units as housing affordable to lower and moderate income households. Specifically, seven units must be provided on site for low or moderate income households.

New Ordinances are Proposed

The State required ordinances to be considered by the City Council which would address specific housing goals. Staff will prepare the following draft ordinances for Council's review and approval in the near future:

- *Zoning Ordinance to allow emergency shelters by right.* Emergency shelters and transitional housing (i.e. battered women's shelters) are housing options that benefit primarily extremely low and very low income households. The City will amend the Zoning Code to specific emergency shelters as a permitted use in the R3 and PDR-HD zoning districts. Specific development and performance standards will be established in the Zoning Code to regulate the development of emergency shelters.
- *Zoning Ordinance to allow affordable housing projects by right.* The current Zoning Code provisions for Design Review (i.e. site plan review) allow the Planning Commission to have discretion over the proposed density of a project. Theoretically, the Planning Commission could reduce the project density through the Design Review process. However, this new program would remove the Planning Commission's ability to modify the residential density of affordable housing projects (20 du/acre) in order to implement the State's housing objectives for low-income households. However, Planning Commission review of the project design (i.e. architecture, height, landscaping, setbacks, parking, etc.) is still required and may be modified through the design review process.

State of California HCD Review and Public Comments

The proposed 2008-2014 Housing Element was available for the State mandated 60-day public review period from February 15, 2008 – April 15, 2008. This document was revised (Attachment 7) to include new analysis based on HCD's and the general public's comments. Some of the major comments are summarized in a table provided as Attachment 2 of this report.

Note: *All of the public comment letters on the Housing Element and City's responses to these letters are contained in Appendix D of the Housing Element.*

ENVIRONMENTAL DETERMINATION

The project has been reviewed for compliance with the California Environmental Quality Act (CEQA), CEQA Guidelines, and the City's environmental processing procedures. Following is a summary of the environmental processing:

- *Final Program EIR for the 2000 General Plan was previously certified.* The Final Program EIR No. 1049 for the 2000 General Plan (State Clearinghouse No. 200031120) addresses a full range of environmental issues associated with the 20-year planning horizon of the 2000 General Plan (2020). All impacts resulting from implementation of the 2000 General Plan were minimized to a level of significance with the exception of impacts related to transportation/circulation, air quality, and noise. The Final Program EIR was originally certified by the Costa Mesa City Council in January, 2002.

- Draft Supplemental EIR for the 2000 General Plan, including Housing Element update. A Supplemental Environmental Impact Report (SEIR) has been prepared to satisfy CEQA requirements. The Draft SEIR for the 2008-2014 Housing Element has been prepared to meet the requirements of the California Environmental Quality Act (CEQA) statutes (Public Resources Code 21000 et seq.) and Guidelines (14 California Code of Regulations, 15000 et seq.).

The SEIR provides a basic reference document to avoid unnecessary repetition of facts or analysis in the previous General Plan Program EIR. Therefore, the SEIR only contains updated technical information or other supplemental information to make the previous Program EIR adequate for the updated 2008-2014 Housing Element. No new mitigation measures or significant impacts are identified in this supplemental document. Specifically, the Supplemental Program EIR finds that the impacts and mitigation measures as described in the previous Program EIR are still applicable to the 2002 General Plan with its newly updated 2008-2014 Housing Element.

- Responses to Comments. The Draft SEIR was available for a 45-day public review period from February 29, 2008 – April 15, 2008. The City prepared a Responses to Comments document which includes responses to comments on significant environmental issues received during the public review period of the Draft SEIR (RTC, Attachment 4).

FISCAL REVIEW:

No fiscal review is required.

LEGAL REVIEW:

The City Attorney's office has approved the attached resolution as to form.

ALTERNATIVES CONSIDERED:

City Council has the following actions to consider:

1. Certify Supplemental EIR and Adopt Housing Element. The State has issued a preliminary certification letter on July 25, 2008 indicating that Costa Mesa's proposed 2008-2014 Housing Element would comply with State Law. Upon adoption by City Council, the Housing Element will be sent to HCD for a final 90-day review period. This action will enable Costa Mesa to become the second out of 34 Orange County cities to have a certified Housing Element.
2. Certify Supplemental EIR and Adopt Housing Element with modifications. City Council may make additional modifications to the Housing Element by amending the proposed General Plan goals/policies/objectives or implementing programs. These modifications will be sent to HCD for consideration. If any of the proposed language in the Housing Element is significantly modified or removed, this would affect the preliminary certification status of our Housing Element.

Denial of the Housing Element is not listed as a viable alternative because this action would be inconsistent with State Housing Element Law.

CONCLUSION

On July 25, 2008, the California Housing and Community Development Department (HCD) issued a preliminary certification letter indicating the proposed Housing Element would be in compliance with State Law, once adopted by City Council. Within 60 days of Council adoption of the Housing Element, HCD will issue a final certification letter. Out of the 34 cities in Orange County, the City of Costa Mesa will then be the second jurisdiction to have an adopted Housing Element in compliance with State Law.



HILDA VETURIS
Management Analyst



CLAIRE L. FLYNN, AICP
Principal Planner



DONALD D. LAMM, AICP
Deputy City Mgr. – Dev. Svs. Director

- Attachments:
1. HCD Preliminary Certification Letter
 2. Summary Table of Latest Comments
 3. Council Resolution
 4. Responses to Comments to Draft SEIR, July 2008
 5. PC Meeting Minutes of July 28, 2008
 6. PC Resolution of July 28, 2008
 7. 2008-2014 Proposed Housing Element – Separately Bound Document

Note: Draft Supplemental EIR to General Plan Program EIR
(previously submitted to the City Council in February, 2008 and available on City's website at www.ci.costa-mesa.ca.us or for review at public counter and libraries)

cc: City Manager
Assistant City Manager
City Attorney
Public Services Director
City Engineer
Associate Engineer
City Clerk
Staff (4)
File (2)

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DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF HOUSING POLICY DEVELOPMENT

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July 25, 2008

Mr. Don Lamm, Director
Development Services Department
City of Costa Mesa
77 Fair Drive
Costa Mesa, CA 92628

Dear Mr. Lamm:

RE: Review of Costa Mesa's Revised Draft Housing Element

Thank you for submitting Costa Mesa's revised draft housing element, received for review on May 30, 2008 along with additional revisions received on July 1, 12 and 23, 2008. As you know, the Department is required to review draft housing elements and report the findings to the locality pursuant to Government Code Section 65585(b). In addition, the Department considered third party comments submitted by the Kennedy Commission and the Costa Mesa Housing Coalition, pursuant to Government Code Section 65585(c). The review was facilitated by various communications with Ms. Claire Flynn, Principal Planner, Ms. Hilda Veturis, Management Analyst, and the City's consultant, Ms. Veronica Tam.

The revised draft element addresses the statutory requirements described in the Department's April 22, 2008 review. For example, the element now demonstrates adequate sites, zoning available to encourage and facilitate a variety of housing types and programs to assist in the development of housing lower income households. As a result, the revised draft element will comply with State housing element law (Article 10.6 of the Government Code) when adopted and submitted to the Department, pursuant to Government Code Section 65585(g).

The Department appreciates the City's efforts to address its housing needs and is thankful of your staff's cooperation, particularly Ms. Flynn and Ms. Veturis, during the housing element update. The Department looks forward to receiving Costa Mesa's adopted housing element. If you have any additional questions, please contact Paul McDougall, of our staff, at (916) 322-7995.

Sincerely,

A handwritten signature in black ink, appearing to read "Cathy E. Creswell".

Cathy E. Creswell
Deputy Director

Summary Table - Major Housing Element Revisions
Revised August, 2008

Comments	City's Revisions to the Housing Element
1. City must prepare a Responses to Comments summary table to address substantive comments received from general public on Housing Element.	Appendix D reflects Responses to Comments.
2. More analysis of adequate sites to meet the RHNA requirements is needed.	Changes made throughout Housing Element.
3. More analysis of Urban Plan areas as it relates to removing governmental constraints and promoting affordable housing is needed.	Appendix C added to Housing Element.
4. The General Plan Implementation Programs need to be strengthened to achieve the goals/policies/objectives of Housing Element.	Changes made throughout Housing Element.
5. The Build Green Programs (i.e. fee waiver and rebate program) discussed on page 86 need to be added as official General Plan programs so that they can be monitored on an annual basis.	The Build Green Programs were added as General Plan Program No. 16.
6. In the emergency shelters discussion starting on page 57, the City needs to analyze the capacity in the R3 and PDR-HD zones for emergency shelters. The City needs to quantify the capacity of underutilized sites and conclude whether or not there are feasible opportunities for emergency shelters as permitted uses.	The City quantified the capacity of underutilized sites for emergency shelters and added more analysis.
7. The City's rehabilitation assistance to St. John's Manor is discussed on page 70. However, this activity was completed prior to the Housing Element period of 2008-2014. Therefore, the City may not receive RHNA credit for these units. HCD would need to see additional discussion for housing units preserved in the Housing Element timeframe.	The City removed the St. John's Manor discussion. New analysis related to the preservation of the Bethel Towers units are added and corresponding adjustments were made to different tables in the Housing Element to reflect this new discussion.
8. HCD acknowledges that the urban plans provide flexible development standards as incentives for new development in the overlay zone. However, it is encouraged that an additional measure (i.e. financial support) be provided to help promote the development of lower-income housing.	The City added new discussion to General Program No. 5 and No. 7 relating to the City's pursuit of Federal Section 108 loans and State multi-family housing/at-risk funding.
9. Appendix C on page C1 needs additional analysis regarding the reduced parking requirements in the overlay zone and traffic generation/development capacity in the overlay zone.	The City added new analysis to Appendix C.
10. Appendix D represents a summary of public comments on the Housing Element and the City's responses. This appendix needs to be updated to address any recent letters that have arrived to date.	The City has updated Appendix C to address recent correspondence received to date.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA CERTIFYING FINAL SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT AND ADOPTING GENERAL PLAN GP-08-03 FOR THE PROPOSED 2008-2014 HOUSING ELEMENT.

THE CITY COUNCIL OF THE CITY OF COSTA MESA HEREBY RESOLVES AS FOLLOWS:

WHEREAS, Final Program Environmental Impact Report (EIR) No. 1049 (State Clearinghouse Number 200031120) was prepared by the City of Costa Mesa for 2000 General Plan and certified by City Council in January 2002;

WHEREAS, Final Program EIR for the 2000 General Plan addresses a full range of environmental issues associated with the 20-year planning horizon of the 2000 General Plan (2020). All impacts resulting from implementation of the 2000 General Plan were minimized to a level of significance with the exception of impacts related to transportation/circulation, air quality, and noise;

WHEREAS, the City Council of the City of Costa Mesa adopted the 2000 General Plan on January 22, 2002. The General Plan is a long-range, comprehensive document that serves as a guide for the orderly development of Costa Mesa. By its very nature, the General Plan needs to be updated and refined to account for current and future community needs;

WHEREAS, General Plan Amendment GP-08-03 is for the ***Proposed 2008-2014 Housing Element***, which serves as one of the seven State-mandated elements of the City's General Plan and which must be updated pursuant to California Government Code Section 65588 for the 2008-2014 planning period. The updated Housing Element must be adopted by City Council and certified by the State of California Housing and Community Development Department to be in compliance with State Law;

WHEREAS, the 2008-2014 Housing Element identifies and assesses projected housing needs and provides an inventory of constraints and resources relevant to meeting these needs. Components of the housing element include: a housing needs assessment with population and household characteristics; identification of constraints to providing housing; an inventory of

available sites for the provision of housing for all economic segments of the community; and a statement of goals, policies and programs for meeting the City's housing needs;

WHEREAS, the Housing Element is a citywide plan for housing, including provisions of affordable housing in the City of Costa Mesa. The previous Housing Element originally covered the period of July 1, 2000 through June 30, 2005. State legislation subsequently extended the timeframe of this Housing Element to June 30, 2008 in order to align the Housing Element update with the Regional Transportation Planning process;

WHEREAS, the 2008-2014 Housing Element has been reviewed for compliance with the California Environmental Quality Act (CEQA), CEQA Guidelines, and the City's environmental processing procedures. The City prepared a Draft Supplemental Environmental Impact Report (SEIR) for the 2008-2014 Housing Element to meet the requirements of the California Environmental Quality Act (CEQA) statutes (Public Resources Code 21000 et seq.) and Guidelines (14 California Code of Regulations, 15000 et seq.);

WHEREAS, the proposed 2008-2014 Housing Element was available for the State mandated 60-day public review period from February 15, 2008 – April 15, 2008. A Notice of Availability was published in the Daily Pilot. The State of California Housing and Community Development Department issued a comment letter dated April 22, 2008, and the City also received public correspondence during the review period;

WHEREAS, the City of Costa Mesa, in conjunction with the State Clearinghouse, circulated the Draft SEIR from February 29 to April 15, 2008 for public comment and review. Written comments and oral testimony were responded to in the manner set forth in California Code of Regulations Section 15088(b) through Responses to Comments submitted to the City. The Responses to Comments document includes responses to comments on significant environmental issues received during the public review period of the Draft SEIR and errata pages showing redlined/strikeout revisions of the Draft SEIR;

WHEREAS, the City conducted public outreach to solicit input from residents and housing and service providers regarding the housing needs of the community. Community workshops were conducted for neighborhood and homeowners associations throughout the City as follows:

- June 18, 2007 Community workshop at Neighborhood Community Center
- July 24, 2007 MIKA Community Development Corporation
- October 3, 2007 Mesa Verde, Inc. Home Owners Association
- April 7, 2008 Planning Commission hosted a Community
workshop/open house at Costa Mesa City Hall
- May 12, 2008 Community workshop/open house at Costa Mesa City Hall

WHEREAS, the Redevelopment and Residential Rehabilitation (3-R) Committee held a public forum to discuss the Housing Element on September 25, 2007, and a joint study session was conducted by the City Council and Planning Commission on February 12, 2008;

WHEREAS, no significant new information has been added to the Final Program EIR or Final SEIR and no significant changes to the 2000 General Plan have occurred which would require recirculation under CEQA Guidelines §15088.5. The Draft SEIR, Responses to Comments, errata pages identifying revisions to the Draft SEIR, and any other information added by the City constitute Final SEIR No. 1049;

WHEREAS, Final SEIR No. 1049 reflects the independent judgment of the City of Costa Mesa. The City Council has reviewed all environmental documents comprising the Final SEIR and has found that the Final SEIR considers all environmental impacts of the proposed project and a reasonable range of alternatives, and the Final SEIR is complete and adequate and fully complies with all requirements of CEQA, the CEQA Guidelines, and the City of Costa Mesa Environmental Guidelines;

WHEREAS, a duly-noticed public hearing was held by the Planning Commission on July 28, 2008 and by the City Council on August 19, 2008 to allow for public comment on General Plan Amendment GP-08-03 and Final SEIR No. 1049 and with all persons having been given the opportunity to be heard both for and against the proposed project;

WHEREAS, the Planning Commission recommended City Council certification of the Final Supplemental EIR and adoption of the 2008-2014 Housing Element by adoption of Planning Commission Resolution No. PC-08-63;

WHEREAS, the City Council hereby makes the following findings: (1) The proposed 2008-2014 Housing Element will not facilitate the creation of a significant number of additional housing units beyond those anticipated and accounted for in the 2000 General Plan; (2) Proposed new housing programs will improve the quality of existing housing and encourage and facilitate the provision of housing for all economic segments of the community; (3) Adoption of the 2008-2014 Housing Element will not result in any significant environmental effects beyond those already anticipated in the Final Program EIR No. 1049;

WHEREAS, with regard to the Final SEIR, City Council also hereby finds that the SEIR provides a basic reference document to avoid unnecessary repetition of facts or analysis in the previous General Plan Program EIR. Therefore, the SEIR only contains updated technical information or other supplemental information to make the previous Program EIR adequate for the updated 2008-2014 Housing Element. No new mitigation measures or significant impacts are identified in this supplemental document. Specifically, the City Council finds that the impacts and mitigation measures as described in the previous Program EIR are still applicable to the 2002 General Plan with its newly updated 2008-2014 Housing Element;

BE IT RESOLVED that the City Council **HEREBY CERTIFIES** Final SEIR No. 1049 and **ADOPTS** General Plan Amendment GP-08-03 for the Proposed 2008-2014 Housing Element.

BE IT FURTHER RESOLVED that the City Council has also considered and finds that the benefits of the 2000 General Plan as a policy document outweigh the unavoidable adverse impacts that remain after mitigation and does hereby **REAFFIRM** the Statement of Facts and Findings and Statement of Overriding Considerations of the original General Plan Program EIR No. 1049. These documents, including the original General Plan Program EIR, are available for review at the City of Costa Mesa, Development Services Department, 2nd Floor of City Hall, 77 Fair Drive, Costa Mesa, California.

PASSED AND ADOPTED this 19th day of August, 2008.

ERIC BEVER
Mayor, City of Costa Mesa

ATTEST:

APPROVED AS TO FORM:

CITY CLERK OF THE
CITY OF COSTA MESA

CITY ATTORNEY

COUNTY OF ORANGE)

I, JULIE FOLCIK, City Clerk and ex-officio Clerk of the City Council of the City of Costa Mesa, hereby certify that the above Council Resolution No. 08-___ as considered at a regular meeting of said City Council held on the ___ day of ___, 2007, and thereafter passed and adopted as a whole at the regular meeting of said City Council held on the ___ day of ___, 2008, by the following roll call vote:

AYES:

NOES:

ABSENT:

IN WITNESS WHEREOF, I have hereby set my hand and affixed the Seal of the City of Costa Mesa this ____ day of _____, 2008.

RESPONSES TO COMMENTS

FINAL **Supplemental Environmental** **Impact Report to the** **General Plan Program EIR** **(SCH# 200031120)**

2008-2014
Housing Element

JULY 2008



Prepared by:

City of Costa Mesa
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Introduction

This document has been prepared to respond to public comments received on the Draft Supplemental Environmental Impact Report (Draft SEIR) for the proposed 2008-2014 Housing Element. The Draft SEIR was subject to a 45-day public review period, which commenced on February 29, 2008 to April 15, 2008.

The California Environmental Quality Act (CEQA) Guidelines §15105(a) states that the Lead Agency shall provide a public review period of not less than 45 days for a proposed Environmental Impact Report when review by state agencies is required. Distribution of the Draft SEIR and the Notice of Availability for review and comment included the following agencies and organizations:

State Clearinghouse, Office of Planning & Research
South Coast Air Quality Management District
Regional Water Quality Control Board
County of Orange, Resources & Development Management Department
Southern California Association of Governments
Newport Mesa Unified School District
Orange County Sanitation District
Airport Land Use Commission
John Wayne Airport
Federal Aviation Administration
California Department of Transportation, District 12
California Department of Transportation, Division of Aeronautics
California Department of Toxic Substances Control
Metropolitan Water District
County of Orange, Integrated Waste Management
County of Orange, Flood Control District
State Water Resources Control Board
Orange County Vector Control
Orange County Transportation Authority
Costa Mesa Sanitary District
Mesa Consolidated Water District
City of Santa Ana
City of Fountain Valley
City of Irvine
City of Tustin
City of Newport Beach
City of Huntington Beach
SBC
Southern California Gas Co.
Comcast Cable
Southern California Edison
Costa Mesa Fire Department
Costa Mesa Police Department
Costa Mesa Department of Parks and Recreation
Costa Mesa Historical Society

In addition, the Notice of Availability of a Draft Environmental Impact Report was posted on the project site and was published in the Daily. Copies of the Draft SEIR were made available for public review at the City of Costa Mesa. In addition, copies of the document were made available at the Mesa Verde Library and the Orange County Public Library (Park Avenue Branch).

In accordance with CEQA Guidelines §15088, the City of Costa Mesa, as the Lead Agency for the project, has reviewed and evaluated written comments submitted during the public review period regarding the 2008-2014 Housing Element.

The CEQA Guidelines, at §15088, "Evaluation of Response to Comments," states:

- (a) The lead agency shall evaluate comments on environmental issues received from persons who reviewed the DEIR and shall prepare a written response. The lead agency shall respond to comments received during the noticed comment period and any extensions and may respond to late comments.
- (b) The written response shall describe the disposition of significant environmental issues raised (e.g., revisions to the proposed project to mitigate anticipated impacts or objections). In particular, the major environmental issues raised when the lead agency's position is at variance with recommendations and objections raised in the comments must be addressed in detail giving reasons why specific comments and suggestions were not accepted. There must be good faith, reasoned analysis in response. Conclusory statements unsupported by factual information will not suffice.
- (c) The response to comments may take the form of a revision to the DEIR or may be a separate section in the Final EIR. Where the response to comments makes important changes in the information contained in the text of the DEIR, the lead agency should either:
 - (1) Revise the text in the body of the EIR, or
 - (2) Include marginal notes showing that the information is revised in the response to comments.

No significant changes to the data and analysis contained in the Draft SEIR have been required as a result of the comments received during this response process. The responses provided herein clarify, amplify, elaborate, and make minor modifications to the Draft SEIR, or accept mitigation measures or project alternatives suggested. This Responses to Comments document has been prepared and constitutes a separate section of the Draft SEIR and will be incorporated as part of the Final EIR as presented to the City of Costa Mesa for certification.

The City of Costa Mesa has elected, as appropriate, to revise the Draft SEIR text where necessary to address errata or direct the reader's attention to information in the Responses to Comments document.

CEQA Guidelines §15088 addresses a Lead Agency's responsibilities in responding to comments. The Guidelines require, among other things, that the Lead Agency shall provide a good faith, reasoned analysis in response to significant environmental issues raised, particularly when the Lead Agency's position is at variance to the objections and recommendations raised by commenters. Section 15088 does not require an individuated, personalized response to each comment letter, and does not prevent the Lead Agency from responding to comments by way of a summary or comprehensive response that may apply to several individual remarks in comment letters.

Public Resources Code §21091(d)(1) requires that the City of Costa Mesa, as Lead Agency, must consider any comments on the proposed Draft SEIR that are received within the public review period.

CEQA Guidelines §15204(a) provides that:

“In reviewing Draft EIRs, persons and public agencies should focus on the sufficiency of the document in identifying and analyzing the possible impacts on the environment and ways in which the significant effects of the project might be avoided or mitigated. Comments are most helpful when they suggest additional specific alternatives or mitigation measures that would provide better ways to avoid or mitigate the significant environmental effects. At the same time, reviewers should be aware that the adequacy of an EIR is determined in terms of what is reasonably feasible, in light of factors such as the magnitude of the project at issue, the severity of its likely environmental impacts, and the geographic scope of the project. CEQA does not require a lead agency to conduct every test or perform all research, study, and experimentation recommended or demanded by commentors. When responding to comments, lead agencies need only respond to significant environmental issues and do not need to provide all information requested by reviewers, as long as a good faith effort at full disclosure is made in the EIR.”

CEQA Guidelines §15204(c) further advises:

“Reviewers should explain the basis for their comments, and should submit data or references offering facts, reasonable assumptions based on facts, or expert opinion supported by facts in support of the comments. Pursuant to Section 15064, an effect shall not be considered significant in the absence of substantial evidence.”

Section 15204(d) states:

“Each responsible agency and trustee agency shall focus its comments on environmental information germane to that agency’s statutory responsibility.”

Section 15024(e) states:

“This section shall not be used to restrict the ability of reviewers to comment on the general adequacy of a document or the lead agency to reject comments not focused as recommended by this section.”

The City of Costa Mesa received 4 written comment letters on the Draft SEIR from public agencies and organizations. Each letter containing comments on the Draft SEIR is followed by responses corresponding to comments submitted in the letter. No new significant environmental impacts are raised by the submitted comment letters.

The City also received various comments on the proposed 2008-2014 Housing Element. The Responses to Comments to Housing Element document was prepared as Appendix D of the Housing Element. A copy of this document is available from the City upon request. Because the nature of these comments did not relate to the environmental analysis in the Draft SEIR, these comment letters were separately addressed in the Housing Element document.

Comment Letters

Letter	Agency/Organization/Individual	Letter Date
A	Native American Heritage Commission	March 25, 2008
B	Southern California Association of Governments	April 2, 2008
C	Department of Transportation - Aeronautics	April 2, 2008
D	Department of Transportation – District 12	April 14, 2008

NATIVE AMERICAN HERITAGE COMMISSION

915 CAPITOL MALL, ROOM 364
 SACRAMENTO, CA 95814
 (916) 653-6251
 Fax (916) 657-5390
 Web Site www.nahc.ca.gov
 e-mail: ds_nahc@pacbell.net



March 25, 2008

RECEIVED
 CITY OF COSTA MESA
 DEVELOPMENT SERVICES

MAR 31 2008

Ms. Claire Flynn, Principal Planner

CITY OF COSTA MESA

77 Fair Drive
 Costa Mesa, CA 92628

Re: SCH#2000031120; CEQA Notice of Completion; Supplemental/Subsequent Environmental Impact Report (SEIR) for a General Plan Amendment Housing Element Update; City of Costa Mesa; Orange County, California

Dear Ms. Flynn:

The Native American Heritage Commission is the state agency designated to protect California's Native American Cultural Resources. The California Environmental Quality Act (CEQA) requires that any project that causes a substantial adverse change in the significance of an historical resource, that includes archaeological resources, is a 'significant effect' requiring the preparation of an Environmental Impact Report (EIR) per the California Code of Regulations §15064.5(b)(c) (CEQA guidelines). Section 15382 of the 2007 CEQA Guidelines defines a significant impact on the environment as "a substantial, or potentially substantial, adverse change in any of physical conditions within an area affected by the proposed project, including ... objects of historic or aesthetic significance." In order to comply with this provision, the lead agency is required to assess whether the project will have an adverse impact on these resources within the 'area of potential effect (APE)', and if so, to mitigate that effect. To adequately assess the project-related impacts on historical resources, the Commission recommends the following action:

- ✓ Contact the appropriate California Historic Resources Information Center (CHRIS) for possible 'recorded sites' in locations where the development will or might occur.. Contact information for the Information Center nearest you is available from the State Office of Historic Preservation (916/653-7278)/ <http://www.ohp.parks.ca.gov>. The record search will determine:
 - If a part or the entire APE has been previously surveyed for cultural resources.
 - If any known cultural resources have already been recorded in or adjacent to the APE.
 - If the probability is low, moderate, or high that cultural resources are located in the APE.
 - If a survey is required to determine whether previously unrecorded cultural resources are present.
- ✓ If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
 - The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum, and not be made available for public disclosure.
 - The final written report should be submitted within 3 months after work has been completed to the appropriate regional archaeological information center.
- ✓ Contact the Native American Heritage Commission (NAHC) for:
 - * A Sacred Lands File (SLF) search of the project area and information on tribal contacts in the project vicinity that may have additional cultural resource information. Please provide this office with the following citation format to assist with the Sacred Lands File search request: USGS 7.5-minute quadrangle citation with name, township, range and section.
 - The NAHC advises the use of Native American Monitors to ensure proper identification and care given cultural resources that may be discovered. The NAHC recommends that contact be made with Native American Contacts on the attached list to get their input on potential project impact (APE). In some cases, the existence of a Native American cultural resources may be known only to a local tribe(s).
- ✓ Lack of surface evidence of archeological resources does not preclude their subsurface existence.
- Lead agencies should include in their mitigation plan provisions for the identification and evaluation of accidentally discovered archeological resources, per California Environmental Quality Act (CEQA) §15064.5 (f). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American, with knowledge in cultural resources, should monitor all ground-disturbing activities.
- A culturally-affiliated Native American tribe may be the only source of information about a Sacred Site/Native American cultural resource.
- Lead agencies should include in their mitigation plan provisions for the disposition of recovered artifacts, in consultation with culturally affiliated Native Americans.

A-1

✓ Lead agencies should include provisions for discovery of Native American human remains or unmarked cemeteries in their mitigation plans.

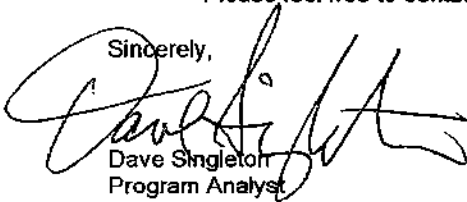
* CEQA Guidelines, Section 15064.5(d) requires the lead agency to work with the Native Americans identified by this Commission if the initial Study identifies the presence or likely presence of Native American human remains within the APE. CEQA Guidelines provide for agreements with Native American, identified by the NAHC, to assure the appropriate and dignified treatment of Native American human remains and any associated grave liens.

✓ Health and Safety Code §7050.5, Public Resources Code §5097.98 and Sec. §15064.5 (d) of the California Code of Regulations (CEQA Guidelines) mandate procedures to be followed, including that construction or excavation be stopped in the event of an accidental discovery of any human remains in a location other than a dedicated cemetery until the county coroner or medical examiner can determine whether the remains are those of a Native American. Note that §7052 of the Health & Safety Code states that disturbance of Native American cemeteries is a felony.

✓ Lead agencies should consider avoidance, as defined in §15370 of the California Code of Regulations (CEQA Guidelines), when significant cultural resources are discovered during the course of project planning and implementation

Please feel free to contact me at (916) 653-6251 if you have any questions.

Sincerely,



Dave Singleton
Program Analyst

Attachment: List of Native American Contacts

Cc: State Clearinghouse

**Native American Contacts
Orange County
March 25, 2008**

Juaneno Band of Mission Indians Acjachemen Nation

David Belardes, Chairperson

31742 Via Belardes

Juaneno

San Juan Capistrano , CA 92675

DavidBelardes@hotmail.com

(949) 493-0959

(949) 493-1601 Fax

Juaneno Band of Mission Indians

Alfred Cruz, Culural Resources Coordinator

P.O. Box 25628

Juaneno

Santa Ana , CA 92799

alfredgcruz@sbcglobal.net

714-998-0721

alfredgcruz@sbcglobal.net

Juaneno Band of Mission Indians Acjachemen Nation

Anthony Rivera, Chairman

31411-A La Matanza Street

Juaneno

San Juan Capistrano , CA 92675-2674

arivera@juaneno.com

949-488-3484

949-488-3294 Fax

Juaneno Band of Mission Indians

Adolph "Bud" Sepulveda, Chairperson

P.O. Box 25828

Juaneno

Santa Ana , CA 92799

bssepul@yahoo.net

714-838-3270

714-914-1812 - CELL

bsepul@yahoo.net

Gabrielino Band of Mission Indians of CA

Ms. Susan Frank

PO Box 3021

Gabrielino

Beaumont , CA 92223

(951) 897-2536 Phone/Fax

Sonia Johnston, Tribal Vice Chairperson

Juaneno Band of Mission Indians

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Juaneno

Santa Ana , CA 92799

(714) 323-8312

sonia.johnston@sbcglobal.net

Juaneno Band of Mission Indians Acjachemen Nation

Joyce Perry , Tribal Manager & Cultural Resources

31742 Via Belardes

Juaneno

San Juan Capistrano , CA 92675

kaamalam@cox.net

(949) 493-0959

(949) 293-8522 Cell

(949) 493-1601 Fax

Juaneno Band of Mission Indians

Anita Espinoza

1740 Concerto Drive

Juaneno

Anaheim , CA 92807

(714) 779-8832

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting local Native American with regard to cultural resources for the proposed, SCH#20000311120; CEQA Notice of Completion; Supplement/Subsequent Environmental Impact Report (SEIR) for the General Plan Housing Element Update; City of Costa Mesa; Orange County, California.

**Native American Contacts
Orange County
March 25, 2008**

Juaneno Band of Mission Indians
Joe Ocampo, Chairperson
1108 E. 4th Street Juaneno
Santa Ana , CA 92701
(714) 547-9676
(714) 623-0709-cell

This list is current only as of the date of this document.

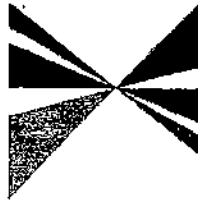
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This list is only applicable for contacting local Native American with regard to cultural resources for the proposed, SCH#20000311120; CEQA Notice of Completion; Supplement/Subsequent Environmental Impact Report (SEIR) for the General Plan Housing Element Update; City of Costa Mesa; Orange County, California.

**Response to Letter A -
Native American Heritage Commission – March 25, 2008**

- A-1 The City of Costa Mesa acknowledges receipt of a comment letter from the Native American Heritage Commission. The City appreciates the information provided regarding Native American cultural resources and archaeological resources. This information is included as part of the Administrative Record for the Final SEIR.

SOUTHERN CALIFORNIA



**ASSOCIATION OF
GOVERNMENTS**

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Debbie Cook, Huntington Beach

Transportation and Communications

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April 2, 2008

Ms. Claire Flynn, AICP, Principal Planner

City of Costa Mesa

77 Fair Drive

Costa Mesa, CA 92628

(714) 754-5245

**RE: SCAG Comments on the Draft Supplemental Program Environmental Impact Report for
the 2008-2014 Housing Element of the Costa Mesa General Plan - SCAG No.
120080142**

Dear Ms. Flynn,

Thank you for submitting the Draft Supplemental Program Environmental Impact Report for the 2008-2014 Housing Element of the Costa Mesa General Plan - SCAG No. 120080142, to the Southern California Association of Governments (SCAG) for review and comment. SCAG is the authorized regional agency for Inter-Governmental Review of Programs proposed for federal financial assistance and direct development activities, pursuant to Presidential Executive Order 12372 (replacing A-95 Review). Additionally, pursuant to Public Resources Code Section 21083(d) SCAG reviews Environmental Impacts Reports of projects of regional significance for consistency with regional plans per the California Environmental Quality Act Guidelines, Sections 15125(d) and 15206(a)(1). SCAG is also the designated Regional Transportation Planning Agency and as such is responsible for both preparation of the Regional Transportation Plan (RTP) and Regional Transportation Improvement Program (RTIP) under California Government Code Section 65080 and 65082. As the clearinghouse for regionally significant projects per Executive Order 12372, SCAG reviews the consistency of local plans, projects, and programs with regional plans. This activity is based on SCAG's responsibilities as a regional planning organization pursuant to state and federal laws and regulations. Guidance provided by these reviews is intended to assist local agencies and project sponsors to take actions that contribute to the attainment of regional goals and policies.

SCAG staff has reviewed this project and determined that the proposed project is regionally significant per California Environmental Quality Act (CEQA) Guidelines, Sections 15125 and/or 15206. The proposed project is the 2008-2014 Housing Element update for the City of Costa Mesa's General Plan.

We have evaluated this project based on the policies of SCAG's Regional Comprehensive Plan and Guide (RCPG), Regional Transportation Plan (RTP), and Compass Growth Vision (CGV) that may be applicable to your project. The RCPG, RTP and CGV can be found on the SCAG web site at: <http://scag.ca.gov/igr>. The attached detailed comments are meant to provide guidance for considering the proposed project within the context of our regional goals and policies. Please provide a copy of the Final Environmental Impact Report (FEIR) for our review. If you have any questions regarding the attached comments, please contact Christine Fernandez at (213) 236-1923. Thank you.

Sincerely,

Jacob Lieb, Program Manager
Environmental Planning Division

DOCS#144964v1

The Regional Council is comprised of 75 elected officials representing 187 cities, six counties, four County Transportation Commissions, and a Tribal Government representative within Southern California.

2001 01.31.05

**COMMENTS ON THE DRAFT SUPPLEMENTAL PROGRAM
ENVIRONMENTAL IMPACT REPORT FOR THE 2008-2014 HOUSING
ELEMENT OF THE COSTA MESA GENERAL PLAN - SCAG NO.
I20080142**

PROJECT DESCRIPTION

The Supplemental Program EIR (SPEIR) is a supplement to the City of Costa Mesa's 2000 General Plan Program EIR (SCH#200031120, certified January 2002) as it relates to the updated 2008-2014 Housing Element. The SPEIR does not change the environmental conclusions of the original Program EIR nor identify new impacts/mitigation measure. It provides supplemental information to make the original Final Program EIR adequate for the updated Housing Element.

The City of Costa Mesa is located in central Orange County, California and is part of the larger Southern California region. The City encompasses 16 square miles and is bounded by the cities of Santa Ana, Irvine, Newport Beach, Huntington Beach, and Fountain Valley.

CONSISTENCY WITH REGIONAL COMPREHENSIVE PLAN AND GUIDE POLICIES

The **Growth Management Chapter (GMC)** of the Regional Comprehensive Plan and Guide (RCPG) contains the following policies that are particularly applicable and should be addressed in the Final EIR.

Regional Growth Forecasts

The Final EIR should reflect the most current SCAG forecasts, which are the 2004 RTP (April 2004) Population, Household and Employment forecasts. The forecasts for your region, subregion, and cities are as follows:

Adopted SCAG Regionwide Forecasts¹

	2010	2015	2020	2025	2030
Population	19,208,661	20,191,117	21,137,519	22,035,416	22,890,797
Households	6,072,578	6,463,402	6,865,355	7,263,519	7,660,107
Employment	8,729,192	9,198,618	9,659,847	10,100,776	10,527,202

Adopted OCCOG Forecasts¹

	2010	2015	2020	2025	2030
Population	3,291,628	3,369,745	3,433,609	3,494,394	3,552,742
Households	1,034,027	1,046,473	1,063,976	1,081,421	1,098,474
Employment	1,749,985	1,801,602	1,848,135	1,887,542	1,921,806

Adopted OCCOG Unincorporated Area Forecasts¹

	2010	2015	2020	2025	2030
Population	45,328	49,851	54,191	58,191	61,922
Households	197,735	216,810	234,112	251,091	286,705
Employment	65,939	70,509	76,264	82,267	94,243

Adopted City of Costa Mesa Forecasts¹

	2010	2015	2020	2025	2030
Population	117,492	121,166	124,070	126,802	129,098
Households	39,886	40,470	41,390	42,272	42,600

Employment	97,159	98,955	100,573	101,980	102,849
------------	--------	--------	---------	---------	---------

1. The 2004 RTP growth forecast at the regional, county and subregional level was adopted by RC in April, 2004. City totals are the sum of small area data and should be used for advisory purposes only.

The Draft 2008 RTP Baseline Growth Forecast (built upon subregion/local jurisdiction input) was released on November 1, 2007 by the Community, Economic and Human Development Committee (CEHD) along with the Draft 2008 RTP and RCP for public review and comment. You may wish to review these forecasts to determine compatibility with any Project Forecasts. The following 2035 forecasts are provided for your reference for the City of Costa Mesa, OCCOG area (unincorporated and COG), and SCAG Region. The forecasts for the intervening years (2010, 2015, 2020, 2025, and 2030) will be included in the 2008 RTP Baseline Growth Forecast.

2035 Forecasts ¹	Population	Households	Employees
City of Costa Mesa	126,958	42,126	103,816
OCCOG - Unincorporated Area	237,210	74,598	47,695
OCCOG	3,653,988	1,118,490	1,981,901
SCAG Region	24,056,000	7,710,000	10,287,000

1. Source: Draft 2008 RTP Baseline Growth Forecast
(http://scag.ca.gov/forecast/downloads/RTP_baseline_forecasts_1001.xls)

- 3.01 *The population, housing, and jobs forecasts, which are adopted by SCAG's Regional Council and that reflect local plans and policies shall be used by SCAG in all phases of implementation and review.*

SCAG Staff Comments: Population trends for the City of Costa Mesa do not reflect SCAG's 2004 RTP growth forecasts although estimated population increases still fall within growth estimates for the OCCOG area. Similarly, employment forecasts for the City of Costa Mesa are higher than employment estimates in SCAG's 2004 RTP growth forecasts. It would be helpful if the FEIR for the updated housing element included a discussion of SCAG's growth forecasts and their relationship to the City of Costa Mesa Development Services Department projections. Based on the information provided in the DEIR, we are unable to determine if the project would be consistent with Policy 3.01. Please address this in the FEIR.

- 3.03 *The timing, financing, and location of public facilities, utility systems, and transportation systems shall be used by SCAG to implement the region's growth policies.*

SCAG Staff Comments: Chapter 7.0 [Public Services and Utilities] of the Draft Supplemental EIR includes a discussion of public facilities, utility systems, etc. It has been determined that "impacts to public services and utilities would be less than significant." Therefore, staff conclude the proposed project would be consistent with SCAG Policy 3.03.

GMC POLICIES RELATED TO THE RCPG GOAL TO IMPROVE THE REGIONAL QUALITY OF LIFE

The Growth Management goals to attain mobility and clean air goals and to develop urban forms that enhance quality of life, that accommodate a diversity of life styles, that preserve open space and natural resources, and that are aesthetically pleasing and preserve the character of communities, enhance the regional strategic goal of maintaining the regional quality of life. The evaluation of the proposed project in relation to the following policies would be intended to provide direction for plan implementation, and does not allude to regional mandates.

- 3.11 *Support provisions and incentives created by local jurisdictions to attract housing growth in job-rich subregions and job growth in housing-rich subregions.*

- 3.12 *Encourage existing or proposed local jurisdictions' programs aimed at designing land uses which encourage the use of transit and thus reduce the need for roadway expansion, reduce the # of auto trips and vehicle miles traveled, and create opportunities for residents to walk and bike.*
- 3.13 *Encourage local jurisdictions' plans that maximize the use of existing urbanized areas accessible to transit through infill and redevelopment.*
- 3.14 *Support local plans to increase density of future development located at strategic points along the regional commuter rail, transit systems, and activity centers.*
- 3.15 *Support local jurisdictions' strategies to establish mixed-use clusters and other transit-oriented developments around transit stations and along transit corridors.*
- 3.16 *Encourage developments in and around activity centers, transportation corridors, underutilized infrastructure systems, and areas needing recycling and redevelopment.*
- 3.17 *Support and encourage settlement patterns, which contain a range of urban densities.*
- 3.18 *Encourage planned development in locations least likely to cause adverse environmental impact.*
- 3.19 *Support policies and actions that preserve open space areas identified in local, state, and federal plans.*
- 3.20 *Support the protection of vital resources such as wetlands, groundwater recharge areas, woodlands, production lands, and land containing unique and endangered plants and animals.*
- 3.21 *Encourage the implementation of measures aimed at the preservation and protection of recorded and unrecorded cultural resources and archaeological sites.*

SCAG Staff Comments: Chapter 4.0 [Land Use] of the Draft Supplemental EIR includes a discussion of land uses that provide a mix of low density residential, high density residential, mixed-use, commercial, and industrial uses. The trend toward encouraging mixed-use developments can be seen in the Urban Plan areas that include overlay zones for mixed-use development. Page 35 states, "The implementation of the Housing Element update would not result in the division of an established community, or conflict with and adopted land use plan; nor does it conflict with a habitat or natural community conservation plan." See also SCAG Staff comments for Policies 9.01 – 9.08. Therefore, staff conclude the proposed project would be consistent with SCAG Policies 3.11-3.21.

GMC POLICIES RELATED TO THE RCPG GOAL TO PROVIDE SOCIAL, POLITICAL, AND CULTURAL EQUITY

The Growth Management goals to develop urban forms that avoid economic and social polarization promotes the regional strategic goal of minimizing social and geographic disparities and of reaching equity among all segments of society. The evaluation of the proposed project in relation to the policy stated below is intended guide direction for the accomplishment of this goal, and does not infer regional mandates and interference with local land use powers.

- 3.24 *Encourage efforts of local jurisdictions in the implementation of programs that increase the supply and quality of housing and provide affordable housing as evaluated in the Regional Housing Needs Assessment.*
- 3.27 *Support local jurisdictions and other service providers in their efforts to develop sustainable communities and provide, equally to all members of society, accessible and effective services such as: public education, housing, health care, social services, recreational facilities, law enforcement, and fire protection.*

SCAG Staff Comments: Chapter 3.0 [Population, Housing, and Employment] of the Draft Supplemental EIR includes a discussion of the Regional Housing Needs for the City of Costa Mesa. Table 3 on page 28 shows the City of Costa Mesa is progressing toward its RHNA allocation of 1,682 housing units "to accommodate housing opportunities for all segments of the community." As stated on page 30, "Based on the anticipated 12,527 person increase in the City population over the next 20 years, the increase

of 1,892 dwelling units is expected to sufficiently provide housing for the expected increase in population." Based on this information, staff conclude the proposed project would be consistent with SCAG Policies 3.24-3.27.

AIR QUALITY CHAPTER

The Air Quality Chapter core actions related to the proposed project include:

- 5.07 *Determine specific programs and associated actions needed (e.g., indirect source rules, enhanced use of telecommunications, provision of community-based shuttle services, provision of demand management based programs, or vehicle-miles-traveled/emission fees) so that options to command and control regulation can be assessed.*
- 5.11 *Through the environmental document review process, ensure that plans at all levels of government (regional, air basin, county, subregional, and local) consider air quality, land use, transportation, and economic relationships to ensure consistency and minimize conflicts*

SCAG Staff Comments: Air quality is not discussed in this Supplemental EIR. However, it is expected that an adequate discussion of Air Quality issues was discussed in the 2000 General Plan PEIR. Therefore SCAG staff have no comments.

OPEN SPACE AND CONSERVATION CHAPTER

The Open Space and Conservation Chapter goals related to the proposed project include:

- 9.01 *Provide adequate land resources to meet the outdoor recreation needs of the present and future residents in the region.*
- 9.02 *Increase the accessibility to open space lands for outdoor recreation.*
- 9.03 *Promote self-sustaining regional recreation resources and facilities.*
- 9.04 *Maintain open space for adequate protection to lives and properties against natural and manmade hazards.*
- 9.05 *Minimize potentially hazardous developments in hillsides, canyons, areas susceptible to flooding, earthquakes, wildfire and other known hazards, and areas with limited access for emergency equipments.*
- 9.08 *Develop well-managed viable ecosystems or known habitats of rare, threatened and endangered species, including wetlands.*

SCAG Staff Comments: Page 42 states, "The Open Space and Recreation Element of the 2000 General Plan outlines a strategy to preserve open space areas in the City and meet the recreational needs of the residents." Therefore, staff conclude the proposed project would be consistent with SCAG Policies 9.01-9.08.

WATER QUALITY CHAPTER RECOMMENDATIONS AND POLICY OPTIONS

The Water Quality Chapter goals related to the proposed project include:

- 11.02 *Encourage "watershed management" programs and strategies, recognizing the primary role of local governments in such efforts.*
- 11.07 *Encourage water reclamation throughout the region where it is cost-effective, feasible, and appropriate to reduce reliance on imported water and wastewater discharges. Current administrative impediments to increased use of wastewater should be addressed.*

SCAG Staff Comments: Water quality is not discussed in this Supplemental EIR. However, it is

expected that an adequate discussion of Water Quality issues was discussed in the 2000 General Plan PEIR. Therefore SCAG staff have no comments.

REGIONAL TRANSPORTATION PLAN

The 2004 Regional Transportation Plan (RTP) also has goals and policies that are pertinent to this proposed project. This RTP links the goal of sustaining mobility with the goals of fostering economic development, enhancing the environment, reducing energy consumption, promoting transportation-friendly development patterns, and encouraging fair and equitable access to residents affected by socio-economic, geographic and commercial limitations. The RTP continues to support all applicable federal and state laws in implementing the proposed project. Among the relevant goals and policies of the RTP are the following:

Regional Transportation Plan Goals:

- RTP G1** *Maximize mobility and accessibility for all people and goods in the region.*
- RTP G2** *Ensure travel safety and reliability for all people and goods in the region.*
- RTP G3** *Preserve and ensure a sustainable regional transportation system.*
- RTP G4** *Maximize the productivity of our transportation system.*
- RTP G5** *Protect the environment, improve air quality and promote energy efficiency.*
- RTP G6** *Encourage land use and growth patterns that complement our transportation investments.*

SCAG Staff Comments: Transportation issues were discussed in the 2000 General Plan PEIR and included plans for developing bikeways, public transportation improvements, and light rail. According to Chapter 5.0 [Transportation and Circulation] in the Draft Supplemental EIR, the 2008-2014 Housing Element update will not cause any increases in environmental impacts beyond the impacts discussed in the 2008 General Plan PEIR. Therefore, staff conclude the proposed project would be consistent with Regional Transportation Plan Goals.

GROWTH VISIONING

The fundamental goal of the Compass Growth Visioning effort is to make the SCAG region a better place to live, work and play for all residents regardless of race, ethnicity or income class. Thus, decisions regarding growth, transportation, land use, and economic development should be made to promote and sustain for future generations the region's mobility, livability and prosperity. The following "Regional Growth Principles" are proposed to provide a framework for local and regional decision making that improves the quality of life for all SCAG residents. Each principle is followed by a specific set of strategies intended to achieve this goal.

A portion of the Proposed Project may be located within a Compass 2% Strategy Area. The Compass Blueprint 2% Strategy is a guideline for how and where we can implement the Growth Vision for Southern California's future. It calls for modest changes to current land use and transportation trends on only 2% of the land area of the region – the 2% Strategy Opportunity Areas. Investing our planning efforts and resources according to the 2% Strategy will yield the greatest progress toward improving measures of mobility, livability, prosperity and sustainability for local neighborhoods and their residents. More information and maps can be found at <http://www.compassblueprint.org/2percent/areas>.

Principle 1: Improve mobility for all residents.

- GV P1.1** *Encourage transportation investments and land use decisions that are mutually supportive.*
- GV P1.2** *Locate new housing near existing jobs and new jobs near existing housing.*
- GV P1.3** *Encourage transit-oriented development.*
- GV P1.4** *Promote a variety of travel choices*

Principle 2: Foster livability in all communities.

- GVP2.1** *Promote infill development and redevelopment to revitalize existing communities.*
- GVP2.2** *Promote developments, which provide a mix of uses.*
- GVP2.3** *Promote "people scaled," walkable communities.*
- GVP2.4** *Support the preservation of stable, single-family neighborhoods.*

Principle 3: Enable prosperity for all people.

- GVP3.1** *Provide, in each community, a variety of housing types to meet the housing needs of all income levels.*
- GVP3.2** *Support educational opportunities that promote balanced growth.*
- GVP3.3** *Ensure environmental justice regardless of race, ethnicity or income class.*
- GVP3.4** *Support local and state fiscal policies that encourage balanced growth*
- GVP3.5** *Encourage civic engagement.*

Principle 4: Promote sustainability for future generations.

- GV P4.1** *Preserve rural, agricultural, recreational, and environmentally sensitive areas.*
- GV P4.2** *Focus development in urban centers and existing cities.*
- GV P4.3** *Develop strategies to accommodate growth that uses resources efficiently, eliminate pollution and significantly reduce waste.*
- GV P4.4** *Utilize "green" development techniques*

SCAG Staff Comments: See SCAG Staff comments for Policies 3.11-3.21.

CONCLUSION

All feasible measures needed to mitigate any potentially negative regional impacts associated with the proposed project should be implemented and monitored, as required by CEQA.

Response to Letter B - SCAG, April 2, 2008

- B-1 SCAG recommends that the Final SEIR include the most current SCAG forecasts. This information has been added to the Housing/Population discussion of the Final SEIR as shown in the following Errata Page.
- B-2 SCAG's conclusions regarding the project's consistency with SCAG Policies is noted for the record.

Between 1990 and 2000, the median household income increased at 3.7 percent annually, while values of owner-occupied homes increased at 6.8 percent and median rents increased at 29.9 percent. Between 2000 and 2005, median household income increased another 10.9 percent but during the same period, housing prices increased dramatically. In 2005, the median home price in Costa Mesa was \$644,900, a 136-percent increase from 2000. Only recently have home prices begun to decline slightly as the market slowed. In summary, household incomes are not keeping pace with housing prices in Costa Mesa, much like the rest of California.

Regional Growth Forecasts

The Southern California Association of Governments (SCAG) forecasts, which are the 2004 Regional Transportation Plan Population, Housing, and Employment forecasts are as follows:

Adopted SCAG Regionwide Forecasts¹

	2010	2015	2020	2025	2030
Population	19,208,661	20,191,117	21,137,519	22,035,416	22,890,797
Households	6,072,578	6,463,402	6,885,355	7,263,519	7,660,107
Employment	8,729,192	9,198,618	9,659,847	10,100,776	10,527,202

Adopted OCCOG Forecasts¹

	2010	2015	2020	2025	2030
Population	3,291,628	3,369,745	3,433,609	3,494,394	3,552,742
Households	1,034,027	1,046,473	1,063,976	1,081,421	1,098,474
Employment	1,749,985	1,801,602	1,848,135	1,887,542	1,921,806

Adopted OCCOG Unincorporated Area Forecasts¹

	2010	2015	2020	2025	2030
Population	45,328	49,851	54,191	58,191	61,922
Households	197,735	216,810	234,112	251,091	286,705
Employment	65,939	70,509	76,264	82,267	94,243

Adopted City of Costa Mesa Forecasts¹

	2010	2015	2020	2025	2030
Population	117,492	121,166	124,070	126,802	129,098
Households	39,886	40,470	41,390	42,272	42,600

1. The 2004 RTP growth forecast at the regional, county, and subregional level was adopted in April, 2004. City totals are the sum of the small area data and should be used for advisory purposes.



DEPARTMENT OF TRANSPORTATION

DIVISION OF AERONAUTICS – M.S.#40

1120 N STREET

P. O. BOX 942873

SACRAMENTO, CA 94273-0001

PHONE (916) 654-4959

FAX (916) 653-9531

TTY 711

*Flex your power!
Be energy efficient!*

April 2, 2008

Ms. Claire Flynn
City of Costa Mesa
77 Fair Drive
Costa Mesa, CA 92628

RECEIVED
CITY OF COSTA MESA
DEVELOPMENT SERVICES DEPARTMENT

APR - 7 2008

Dear Ms. Flynn:

City of Costa Mesa's Draft Supplemental to the General Plan Program Environmental Impact Report for Housing Element Update; SCH# 2000031120

The California Department of Transportation (Caltrans), Division of Aeronautics (Division), reviewed the above-referenced document with respect to airport-related noise and safety impacts and regional aviation land use planning issues pursuant to the California Environmental Quality Act (CEQA). The Division has technical expertise in the areas of airport operations safety and airport land use compatibility. We are a funding agency for airport projects, and we have permit authority for public-use and special-use airports and heliports.

The proposal is for an update to the City of Costa Mesa Housing Element. Portions of the City of Costa Mesa are located adjacent to the John Wayne Airport. Since John Wayne Airport is active with approximately 600 based aircraft and over 334,000 annual operations, the City of Costa Mesa may be subject to aircraft related noise and safety impacts.

Portions of the City of Costa Mesa appear to be within the 60 and 65 decibel (dB) Community Noise Equivalent Level (CNEL) airport noise contours. Pursuant to the Airport Noise Standards (California Code of Regulations, Title 21, Chapter 6, Section 5000 et seq.), the County of Orange declared the John Wayne Airport to have a "noise problem". The regulations require a noise problem airport to reduce the size of its "noise impact area" (NIA), which is the area within the airport's 65 dB CNEL contour that is composed of incompatible land uses. Allowing new residential within the airport's 65 dB CNEL contour could result in an increase, rather than the required decrease, in the size of the airport's NIA. Consistent with the Airport Noise Standards, new residential development is not an appropriate land use within the airport's 65 dB CNEL contour.

Education Code Section 17215 requires a school site investigation by the Division prior to acquisition of land for a proposed school site located within two miles of an airport runway. The Division's recommendations are submitted to the State Department of Education for use in determining acceptability of the site. This should be a consideration prior to designating residential uses in the vicinity of an airport. The Division's school site evaluation criteria are available on-line at <http://www.dot.ca.gov/hq/planning/aeronaut/htmlfile/regulations.php>.

Business and Professions Code Section 11010 and Civil Code Sections 1102.6, 1103.4, and 1353 address buyer notification requirements for lands around airports and are available on-line at <http://www.leginfo.ca.gov/calaw.html>. Any person who intends to offer subdivided lands, common

Ms. Claire Flynn

April 2, 2008

Page 2

interest developments, and residential properties for sale or lease within an airport influence area is required to disclose that fact to the person buying the property.

In accordance with California Public Utilities Code Section 21676, local general plans and any amendments must be consistent with the adopted airport land use compatibility plans developed by the Orange County Airport Land Use Commission (ALUC). The proposal should also be coordinated with the Orange County ALUC as well as with John Wayne Airport staff to ensure its compatibility with future as well as existing airport operations.

The protection of airports from incompatible land use encroachment is vital to California's economic future. John Wayne Airport is an economic asset that should be protected through effective airport land use compatibility planning and awareness. Although the need for compatible and safe land uses near airports in California is both a local and a state issue, airport land use commissions and airport land use compatibility plans are key to protecting an airport and the people residing and working in the vicinity of an airport. Consideration given to the issue of compatible land uses in the vicinity of an airport should help to relieve future conflicts between airports and their neighbors.

These comments reflect the areas of concern to the Division with respect to airport-related noise and safety impacts and regional airport land use planning issues. We advise you to contact our Caltrans District 12 office concerning surface transportation issues.

Thank you for the opportunity to review and comment on this proposal. If you have any questions, please call me at (916) 654-5314.

Sincerely,



SANDY HESNARD

Aviation Environmental Specialist

c: State Clearinghouse, Orange County ALUC, John Wayne Airport

**Response to Letter C -
Department of Transportation – Aeronautics – April 2, 2008**

- C-1. The City appreciates the comments which reflect the Division of Aeronautics concerns with respect to airport related noise and safety issues. The letter stresses consideration be given to the issue of compatible land uses in the vicinity of an airport to relieve future conflicts between airports and their neighbors. This information is provided as part of the Administrative Record for the Final SEIR.

DEPARTMENT OF TRANSPORTATION

District 12
 3337 Michelson Drive, Suite 380
 Irvine, CA 92612-8894
 Tel: (949) 724-2241
 Fax: (949) 724-2592

RECEIVED
 CITY OF COSTA MESA
 DEVELOPMENT SERVICES RESOURCES



*Flex your power!
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APR 21 2007

FAX & MAIL

April 14, 2008

Claire Flynn
 City of Costa Mesa
 77 Fair Drive
 Costa Mesa, California 92628

File: IGR/CEQA
 SCH#: 2000031120
 Log #: 932C
 I-405, SR-55, SR-73

Subject: Supplemental Program EIR for the 2008-2014 Housing Element of the City of Costa Mesa General Plan

Dear Ms. Flynn,

Thank you for the opportunity to review and comment on the **Supplemental Program Environmental Impact Report (SEIR) for the updated 2008-2014 Housing Element**. The 2008-2014 Housing Element is an update to the 2000 City of Costa Mesa General Plan, as well as a supplement to the previously certified Program EIR, which includes updated environmental analyses, technical updates of new population, income, employment, housing statistics, and an identification of the City's proposal to meet the Regional Needs Housing Assessment goals. The project area is citywide, and the nearest State routes to the project site are I-405, SR-55, and SR-73.

Caltrans District 12 is a responsible agency on this project and we have the following comments:

1. The City of Costa Mesa Circulation Element 4.41, Page 4.4-15 states that "OCTA is in the planning stages of a light-rail system that is proposed to pass through the northeast portion of the City... this project currently referred to as "The CenterLine" rail system."

The Orange County Transportation Authority (OCTA) abandoned this project in February of 2005 as the OCTA Board of Directors voted unanimously to pause work on CenterLine and began exploring alternatives for other rapid-transit projects. OCTA has approximately \$340 million in Measure M funds set aside for "high-technology advanced rail transit" which could be used on substitute projects. OCTA staff is studying a variety of alternatives to CenterLine, including Bus Rapid Transit.

2. A Traffic Impact Analysis should be prepared to determine the short-term and long-term impacts of SR-55, SR-73, and I-405, as well as their On/Off ramps and connectors within city limits.
3. It should be noted that the SR-55 Access Study for the Newport Boulevard segment and the Newport Boulevard Widening Project have been initiated, and future documentation should take these projects into consideration when analyzing cumulative impacts.

Please continue to keep us informed of this project and any future developments, which could potentially impact the State Transportation Facilities. If you have any questions or need to contact us, please do not hesitate to call Marlon Regisford at (949) 724-2241.

Sincerely,

A handwritten signature in black ink, appearing to read 'R. Chamberlain', written over the word 'Sincerely,'.

Ryan Chamberlain, Branch Chief
Local Development/Intergovernmental Review

C: Terry Roberts, Office of Planning and Research

Response to Letter D -

Department of Transportation – District 12, April 14, 2008

- D-1 The City of Costa Mesa appreciates Caltrans District 12 review of the Draft SEIR. The letter requests an update to the Circulation Element to reflect that the OCTA abandoned the Center-Line project in February, 2005. Since the proposed project does not involve any changes to the Circulation Element, a General Plan revision is not required at this time. However, this clarification regarding the status of the Centerline project is included in the administrative record of the Final SEIR.
- D-2 The proposed 2008-2014 Housing Element does not change the original environmental conclusions related to Transportation/Circulation of the General Plan Program EIR, certified in January 2002. The City acknowledges the recommendation of a traffic impact analysis, and shall prepare such a study if amendments to the Circulation Element are warranted in the future. The City does conduct annual traffic monitoring and special traffic studies in compliance with Measure M requirements.
- D-3 It is noted for the record that the SR-55 Access Study for the Newport Boulevard segment and Newport Boulevard Widening project have been initiated, and future environmental documentation should take these projects into consideration when analyzing cumulative impacts.

07-28-08 PC Minute Excerpt for GP-08-03 - Unofficial Until Approved

5. General Plan Amendment GP-08-03, is a City initiated amendment to the 2000 General Plan consisting of:

(a) Proposed 2008-2014 Housing Element Update GP-08-03. The City of Costa Mesa has prepared a technical update to the Housing Element of the Costa Mesa General Plan as required by California Law Government Code Section 65588 (e) and has analyzed the potential environmental impacts associated with the proposed Housing Element Update.

(b) Draft Supplemental Program EIR. The City prepared a Supplemental Environmental Impact Report (SEIR) to the General Plan Program EIR, as it relates to the 2008-2014 Housing Element update. The SEIR does not change the environmental conclusions of the original Program EIR (SCH#200031120) certified in January, 2002, nor does the SEIR identify new impacts/mitigation measures.

Principal Planner Claire Flynn reviewed the information in the staff report on the Housing Element and the Final Supplemental Environmental Impact Report (SEIR), mentioning that the Housing Element is updated every 5-7 years and that the Housing Element must comply with State law. She also noted that Veronica Tam of Veronica Tam & Associates, the City's consultant, and Hilda Veturis, Management Analyst, conducted many workshops on the Housing Element. In addition, Ms. Flynn provided overhead pictures and explained the alternatives for the Planning Commission, in addition to reviewing the information in the supplemental memo.

Ms. Flynn introduced Management Analyst Hilda Veturis and Ms. Veturis explained that the Housing Element involves a long process, including trying to meet with all the social and economic groups. She said staff has worked very hard to receive the State's letter confirming Costa Mesa's Housing Element will be in compliance with State housing element law.

No one else wished to speak and the Chair closed the public hearing.

Commissioner Clark remarked that he was familiar with the amount of time involved in this process and affirmed and appreciated staff's hard work and diligence.

MOTION: Recommend that City Council certify Final SEIR No. 1049 and approve General Plan Amendment GP-08-03 for the 2008-2014 Housing Element, and hereby reaffirm the Statement of Facts and Findings and Statement of Overriding Considerations of the original General Plan Program EIR No. 1049, by adoption of Planning Commission Resolution PC-08-63.

Moved by Commissioner Sam Clark, seconded by Vice Chair James Fisler.

During discussion on the motion, Commissioner Righeimer pointed out that receiving this "compliance" document from the State is very important, in addition to being extremely helpful if there is litigation.

The motion carried by the following roll call vote:

Ayes: Chair Donn Hall, Vice Chair James Fisler, Commissioner Sam Clark,
Commissioner Eleanor Egan, and Commissioner James Righeimer

Noes: None.

Absent: None.

CITY OF COSTA MESA
Development Services Department
Post Office Box 1200
Costa Mesa, California 92628-1200

PROJECT NO: General Plan Amendment GP-08-03
For the proposed 2008-2014 Housing Element Update to the 2000
General Plan
DATE: July 31, 2008

At its regular meeting of July 28, 2008, the Planning Commission recommended City Council
(a) Certify Supplemental EIR and (b) Approve General Plan Amendment GP-08-03 of the
2008-2014 Housing Element, by adoption of Planning Commission Resolution PC-08-63.
(5-0)

General Plan Amendment GP-08-03 is a City-initiated amendment to the 2000 General Plan
consisting of:

- (a) Final Supplemental Environmental Impact Report (SEIR): To satisfy the
Requirements of the California Environmental Quality Act (CEQA), the City prepared a
supplemental document to the original General Plan Final Program EIR (certified in
January 2002).
- (b) Proposed 2008-2014 Housing Element: A technical update of the Housing Element
of the 2000 General Plan as required by California Law Government Code Section
65588.

This decision will become final unless appealed by 5 p.m. August 4, 2008, by the filing of the
necessary form and fees with the City Clerk's office, located at 77 Fair Drive, Costa Mesa.

Should you have any questions concerning the enclosures or the Commissioner's decision, or
should you wish to appeal the decision to the City Council, please contact project planner
Hilda Veturis (714) -754-5608.

Sincerely,



DONALD D. LAMM
Deputy City Manager-Development Services Director

RESOLUTION NO. PC-08-63

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA, CALIFORNIA, RECOMMENDING THAT CITY COUNCIL CERTIFY FINAL SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT AND ADOPT GENERAL PLAN GP-08-03 FOR THE PROPOSED 2008-2014 HOUSING ELEMENT.

THE PLANNING COMMISSION OF THE CITY OF COSTA MESA HEREBY RESOLVES AS FOLLOWS:

WHEREAS, Final Program Environmental Impact Report (EIR) No. 1049 (State Clearinghouse Number 200031120) was prepared by the City of Costa Mesa for 2000 General Plan and certified by City Council in January 2002;

WHEREAS, The Final Program EIR for the 2000 General Plan addresses a full range of environmental issues associated with the 20-year planning horizon of the 2000 General Plan (2020). All impacts resulting from implementation of the 2000 General Plan were minimized to a level of significance with the exception of impacts related to transportation/circulation, air quality, and noise;

WHEREAS, the City Council of the City of Costa Mesa adopted the 2000 General Plan on January 22, 2002. The General Plan is a long-range, comprehensive document that serves as a guide for the orderly development of Costa Mesa. By its very nature, the General Plan needs to be updated and refined to account for current and future community needs;

WHEREAS, General Plan Amendment GP-08-03 is for the Proposed 2008-2014 Housing Element which serves as one of the seven State-mandated elements of the City's General Plan and must be updated pursuant to California Government Code Section 65588 for the 2008-2014 planning period. The updated Housing Element must be adopted by City Council and certified by HCD to be in compliance with State Law;

WHEREAS, the 2008-2014 Housing Element identifies and assesses projected housing needs and provides an inventory of constraints and resources relevant to meeting these needs. Components of the housing element include: a housing needs assessment with population and household characteristics; identification of constraints to providing housing; an inventory of available sites for the provision of housing for all economic segments of the community; and a statement of goals, policies and programs for meeting the City's housing needs;

WHEREAS, the Housing Element is a citywide plan for housing, including provisions of affordable housing in the City of Costa Mesa. The previous Housing Element originally covered the period of July 1, 2000 through June 30, 2005. State legislation subsequently extended the timeframe of this Housing Element to June 30, 2008 in order to align the Housing Element update with the Regional Transportation Planning process;

WHEREAS, the 2008-2014 Housing Element has been reviewed for compliance with the California Environmental Quality Act (CEQA), CEQA Guidelines, and the City's environmental processing procedures. The City prepared a Draft Supplemental Environmental Impact Report (SEIR) for the 2008-2014 Housing Element to meet the requirements of the California Environmental Quality Act (CEQA) statutes (Public Resources Code 21000 et seq.) and Guidelines (14 California Code of Regulations, 15000 et seq.);

WHEREAS, the City of Costa Mesa, in conjunction with the State Clearinghouse, circulated the Draft SEIR from February 29 to April 15, 2008 for public comment and review. Written comments and oral testimony were responded to in the manner set forth in California Code of Regulations Section 15088(b) through Responses to Comments submitted to the City. The Responses to Comments document includes responses to comments on significant environmental issues received during the public review period of the Draft SEIR and errata pages showing redlined/strikeout revisions of the Draft SEIR;

WHEREAS, the City conducted public outreach to solicit input from residents and housing and service providers regarding the housing needs of the community. Community workshops were conducted for neighborhood and homeowners associations throughout the City as follows:

- June 18, 2007 Community workshop at Neighborhood Community Center
- July 24, 2007 Mika Community Development Corporation
- October 3, 2007 Mesa Verde, Inc. Home Owners Association
- April 7, 2008 Planning Commission hosted a Community
workshop/open house at Costa Mesa City Hall
- May 12, 2008 Community workshop/open house at Costa Mesa City Hall

WHEREAS, the Redevelopment and Residential Rehabilitation (3-R) Committee held a public forum to discuss the Housing Element on September 25, 2007 and a joint study session was conducted by the City Council and Planning Commission on February 12, 2008;

WHEREAS, the proposed 2008-2014 Housing Element was available for the State mandated 60-day public review period from February 15, 2008 – April 15, 2008. A Notice of Availability was published in the Daily Pilot. The State of California Housing and Community Development Department issued a comment letter dated April 22, 2008, and the City also received public correspondence during the review period;

WHEREAS, no significant new information has been added to the Final Program EIR or Final SEIR and no significant changes to the 2000 General Plan have occurred which would require recirculation under CEQA Guidelines §15088.5. The Draft SEIR, Responses to Comments, errata pages identifying revisions to the Draft SEIR, and any other information added by the City constitute Final SEIR No. 1049;

WHEREAS, Final SEIR No. 1049 reflects the independent judgment of the City of Costa Mesa. The Planning Commission has reviewed all environmental documents comprising the Final SEIR and has found that the Final SEIR considers all environmental impacts of the proposed project and a reasonable range of alternatives, and the Final SEIR is complete and adequate and fully complies with all requirements of CEQA, the CEQA Guidelines, and the City of Costa Mesa Environmental Guidelines;

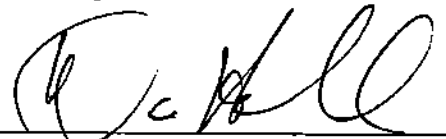
WHEREAS, a duly-noticed public hearing was held by the Planning Commission on July 28, 2008 to allow for public comment on General Plan Amendment GP-08-03 and Final SEIR No. 1049 and with all persons having been given the opportunity to be heard both for and against the proposed project;

WHEREAS, the Planning Commission hereby makes the following findings: (1) The proposed 2008-2014 Housing Element will not facilitate the creation of a significant number of additional housing units beyond those anticipated and accounted for in the 2000 General Plan; (2) Proposed new housing programs will improve the quality of existing housing and encourage and facilitate the provision of housing for all economic segments of the community; (3) Adoption of the 2008-2014 Housing Element will not result in any significant environmental effects beyond those already anticipated in the Final Program EIR No. 1049;

BE IT RESOLVED that the Planning Commission **HEREBY RECOMMENDS THAT CITY COUNCIL CERTIFY** Final SEIR No. 1049 and **ADOPT** General Plan Amendment GP-08-03 for the 2008-2014 Housing Element.

BE IT FURTHER RESOLVED that the Planning Commission has also considered and finds that the benefits of the 2000 General Plan as a policy document outweigh the unavoidable adverse impacts that remain after mitigation and does hereby **REAFFIRM** the Statement of Facts and Findings and Statement of Overriding Considerations of the original General Plan Program EIR No. 1049.

PASSED AND ADOPTED this 28 day of July, 2008.

A handwritten signature in black ink, appearing to read "Donn Hall", written over a horizontal line.

DONN HALL
Chair, Planning Commission

STATE OF CALIFORNIA)
)ss
COUNTY OF ORANGE)

I, Kimberly Brandt, secretary to the Planning Commission of the City of Costa Mesa, do hereby certify that the foregoing Resolution was passed and adopted at a meeting of the City of Costa Mesa Planning Commission held on July 28, 2008, by the following votes:

AYES: COMMISSIONERS: HALL, FISLER, CLARK, EGAN, RIGHEIMER

NOES: COMMISSIONERS: NONE

ABSENT: COMMISSIONERS: NONE

ABSTAIN: COMMISSIONERS: NONE



Secretary, Costa Mesa
Planning Commission